

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-8 and 15-19 are pending in this application.

Double Patenting Rejection:

Claims 1-7 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 14-16 of application no. 10/046,761. The Office Action holds that a timely filed Terminal Disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application.

Attached hereto is a timely filed Terminal Disclaimer in compliance with 37 CFR 1.321. Applicant thus requests that the obviousness-type doubling patenting rejection of claims 1-7 be withdrawn.

Rejection Under 35 U.S.C. §112:

Claims 1-5 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Office Action alleged that several phrases merely recite a use without any active, positive steps delimiting how this use is actually practiced. While Applicant disagrees with this allegation, Applicant has editorially revised the claims in an attempt to expedite allowance of this application. For example, Applicant notes that recitation of

“controlling” no longer appears in the claims. Applicant submits that all claims are in full conformance with 35 U.S.C. §112, second paragraph and thus requests that the rejection of claims 1-5 be withdrawn.

Rejections Under 35 U.S.C. §102 and §103:

Claim 1 was rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Hibbard (U.S. '054). Claims 2-7 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Hibbard. Applicant respectfully traverses these rejections.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. In order to establish a prima facie case of obviousness, all of the claimed limitations must be taught or suggested by the prior art. Applicant respectfully submits that Hibbard fails to disclose or suggest each of the claimed elements. For example, Applicant submits that Hibbard fails to disclose or even suggest “engaging each of said dovetails into respective dovetail slots so that a plurality of said dovetails contact respective laminations to define respective contact points, the contact points having respective locations along a longitudinal direction of the stator core such that a force load transmitted by said contact points is evenly distributed among said contact points,” as required by independent claim 1 and claims 2-7 which depend therefrom.

The Office Action apparently alleges that elements 5 and 6 in Fig. 2 disclose the above claimed feature. Applicant respectfully disagrees.

Col. 3, lines 54 *et seq.* of Hibbard states:

“The stator core laminations are held in the stator frame 1 by suitable means such as dovetail keys 5 secured to transverse ribs 6 in the stator frame. The core illustrated in the

drawings is built up of segmental laminations each of a length equal to twice the distance between the keys, and alternate segments are staggered so as to break joints between adjacent layers.”

While Fig. 2 of Hibbard thus discloses stator core laminations 2 being held in stator frame 1 by dovetail keys 5 and ribs 6 in stator frame 1, Hibbard fails to disclose or even suggest defining contact points between respective ones of keys 5 and laminations 2 to control the transmitted force load, let alone evenly distributing the force load as required by independent claim 1. In short, Hibbard fails to disclose anything specific regarding force load distribution. As described in the background of the present application, actual contact locations between key bar dovetails and corresponding laminations were often (until the present invention) randomly distributed. In the present invention, contact points are defined at respective locations along a longitudinal direction of the stator core to evenly distribute force load. This feature is not taught nor disclosed by Hibbard.

Claim 8 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over Hibbard in view of Forbes et al (U.S. ‘035, hereinafter “Forbes”). Since claim 8 depends from claim 1, all of the comments made above with respect to Hibbard apply equally to claim 8. Forbes fails to remedy the above described deficiencies of Hibbard. Applicant therefore respectfully submits that claim 8 is not “obvious” over Hibbard and Forbes and respectfully requests that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

New Claims:

New claims 15-19 have been added to provide additional protection for the invention. Each of these new claims requires:

“wherein each of said dovetails engages into respective dovetail slots so that at least one of said dovetails engaged within a respective one of the dovetail slots does not contact the lamination having the respective one of the dovetail slots formed therein and a plurality of said dovetails contact respective laminations to define a plurality of respective contact points along a longitudinal direction of the stator core, said contact points having respective locations along the longitudinal direction of the stator core such that a force load transmitted by said contact points is evenly distributed among said contact points.”

Applicant thus submits that claims 15-19 are allowable.

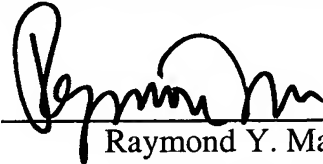
Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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